

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTOINE S. REED,

Defendant.

Case No. 4:09CR572HEA(MLM)

**ORDER**

This matter is before the court on Defendant's oral Motion for extension of time within which to file motions and for continuance of the pretrial motion hearing. At the scheduled Evidentiary Hearing on 10/26/09 defendant informed the court he wanted new counsel and asked that he be allowed at least a week to obtain new counsel. On the record defendant waived his right to a speedy trial pursuant to 18 U.S.C. § 3161 *et seq.*

For the reasons set out in Defendant's oral motion, the Court finds that to deny Defendant's request for such additional time would deny counsel for Defendant the reasonable time necessary for effective investigation and preparation of pretrial motions, taking into account the exercise of due diligence, 18 U.S.C. § 3161(h)(7)(B)(iv), and that the ends of justice served by granting Defendant's request for additional time outweigh the best interest of the public and Defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) Therefore, the time granted to Defendant to investigate and prepare pretrial motions, or a waiver thereof, is excluded from computation of Defendant's right to a speedy trial pursuant to 18 U.S.C. § 3161(h)(7)(A).

Accordingly,

**IT IS HEREBY ORDERED** that Defendant's oral Motion for extension of time within which to file motions and for continuance of the pretrial motion hearing is **GRANTED**.

**IT IS FURTHER ORDERED** that Defendant shall have until 10/30/09 to file any pretrial motions or waiver of motions. The government shall have until 11/2/09 to respond.

**IT IS FURTHER ORDERED** that the Evidentiary/Waiver Hearing set 10/26/09 is continued and rescheduled for 11/3/09 at 1:30 a.m. Defendant and counsel for both parties are required to attend.

/s/Mary Ann L. Medler

MARY ANN L. MEDLER

UNITED STATES MAGISTRATE JUDGE

Dated this 26th day of October, 2009.